



Signed: January 25, 2011

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ALAN JAROSLOVSKY  
U.S. Bankruptcy Judge

Attorneys for Debtors

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re:	Case No.	10-14087
Hector A Sandoval	Chapter	13
Debtor(s)		

ORDER GRANTING MOTION TO VALUE LIEN AS \$0 AND  
AVOID LIEN UPON DISCHARGE OF DEBTOR

On 12/10/2010 Debtor filed a motion to value the lien of EMC Mortgage Corporation (hereinafter Lienholder) against the property commonly known as 19208 Deer Hill Rd, Hidden Valley Lake, CA 95467, Lake County AP #141-102-11-00, which lien was recorded in the Lake County Recorder's Office on or about 1/11/2007 as document 2007000685 (hereinafter the Lien).

The court finds that notice of the motion upon Lienholder was proper. Lienholder having failed to file timely opposition to Debtor's motion, the court hereby orders as follows.

(1) For purposes of Debtor's chapter 13 plan only, the Lien of EMC Mortgage Corporation is valued at zero, does not have a secured claim, and the Lien may not be enforced, pursuant to 11 U.S.C. §§ 506, 1322 (b)(2) and 1327.

(2) This order shall become part of Debtor's confirmed chapter 13 plan.

1 (3) Upon entry of a discharge in Debtor's chapter 13 case, the Lien shall be voided for all  
2 purposes, and upon application by Debtor, the court will enter an appropriate form of judgment  
3 voiding the Lien.

4 (4) If Debtor's chapter 13 case is dismissed or converted to one under another chapter  
5 before Debtor obtains a discharge, this order shall cease to be effective and the Lien shall be  
6 retained to the extent recognized by applicable non-bankruptcy law, and upon application by the  
7 lienholder, the court will enter an appropriate form of order restoring the Lien.

8 (5) Except as provided by separate, subsequent order of this court, the Lien may not be  
9 enforced so long as this order remains in effect.

10 \*\* END OF ORDER \*\*  
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